

CREW

**citizens for responsibility
and ethics in washington**

September 20, 2017

MEMO ENDORSED

VIA ECF

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: September 21, 2017

Re: *Doyle, et al. v. U. S. Department of Homeland
Security, et al.*, No. 17-2542 (KPF)

Dear Judge Failla,

Plaintiffs in the above-referenced action, Kate Doyle, National Security Archive, Citizens for Responsibility and Ethics in Washington, and Knight First Amendment Institute at Columbia University, respectfully request that the Court schedule a hearing on their Motion for an Order Requiring that Defendants Show Cause for Failing to Comply with the Court's July 14 Order (Dkt. 33).

As plaintiffs' memorandum in support of its motion (Dkt. 33-1) explains, the Court, plaintiffs, and the citizens whose interest in transparency is ultimately served by the Freedom of Information Act deserve an explanation for the government's decision not to produce all responsive and non-exempt Mar-a-Lago records, in contravention of this Court's July 14 order. Plaintiffs respectfully submit that the government's explanation for its sudden about-face should be made on the record and directly to the Court. Plaintiffs further submit that an in-person appearance will expedite the Court's determination if any sanctions are appropriate and help avoid further unnecessary delays in this case.

Respectfully,

s/ Anne L. Weismann

Anne L. Weismann
455 Massachusetts Avenue, N.W.
Washington, D.C. 20001
(202) 408-5565
aweismann@citizensforethics.org

Alex Abdo
Jameel Jaffer
Columbia University
314 Low Library
535 West 116th Street

New York, New York 10027
(202) 854-9600
alex.abdo@knightcolumbia.org

cc: Sarah S. Normand (via electronic mail)
Elizabeth J. Shapiro (via electronic mail)
Brad P. Rosenberg (via electronic mail)

The Court is in receipt of Plaintiffs' request for oral argument on their motion for an order to show cause and shall schedule oral argument if, after receiving Defendants' response, the Court believes oral argument would be of use.

Dated: September 21, 2017
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE